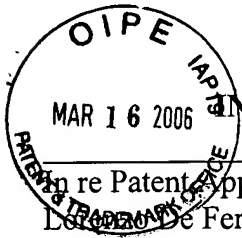


Docket No.: 02901/0200994-US0  
(PATENT)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Lorenzo De Ferra et al.

Application No.: 10/800,404

Confirmation No.: 7141

Filed: March 12, 2004

Art Unit: 1626

For: METHOD FOR THE RACEMIZATION OF  
ETODOLIC ACID

Examiner: K. A. Saeed

## INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08.

This Information Disclosure Statement is filed after the mailing of a Notice of Allowance but before payment of the Issue Fee. In accordance with MPEP § 609 III.B(4), this Information will not be considered, but will be placed in the application file. Applicant requests that the present submission be treated as a citation of prior art under 37 C.F.R. § 1.501 following the grant of a patent. In accordance with § 1.501, the following is a explanation of how the claims differ from the prior art.

U.S. Patent No. 4,604,469 (which has substantially overlapping disclosure with the Demerson reference discussed in the specification at page 2) discloses the preamble of the main claim. The other references (all of which have been discussed in the specification) relate to etodolic acid and its uses and production/racemization methods, but only in general terms. None of the references supply any of the claimed limitations following the preamble.

Applicant has not submitted copies of each cited U.S. patent and U.S. patent application as required by 37 CFR 1.98(a)(2)(i), amended October 2004, as the U.S. Patent and Trademark Office has waived this requirement for all U.S. patent applications. Applicant submits herewith copies of foreign and non-patents in accordance with 37 CFR 1.98(a)(2).

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

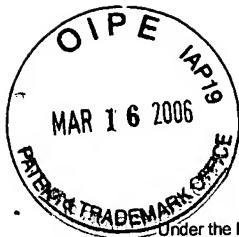
The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100.

Dated: March 16, 2006

Respectfully submitted,

By   
Adda C. Gogoris

Registration No.: 29,714  
DARBY & DARBY P.C.  
P.O. Box 5257  
New York, New York 10150-5257  
(212) 527-7700  
(212) 527-7701 (Fax)  
Attorneys/Agents For Applicant



PTO/SB/08a/b (07-05)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>Substitute for form 1449A/B/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)			<b>Complete if Known</b>		
			Application Number	10/800,404-Conf. #7141	
			Filing Date	March 12, 2004	
			First Named Inventor	Lorenzo De Ferra	
			Art Unit	1626	
			Examiner Name	K. A. Saeed	
Sheet	1	of	1	Attorney Docket Number	02901/0200994-USO

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	AA	US-4,501,899	02-26-1985	Abraham et al.	
	AB	US-4,520,203	05-28-1985	Abraham et al.	
	AC	US-5,578,734	11-26-1996	Vecchi	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	BA	WO 95/27713	10-19-1995	Chiro-Science Ltd.		
	BB	WO 01/06990 A2	02-01-2001	Regents of the Univ. of Calif.		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	CA	DEMERSON et al., J Med Chem 1983, 26, 1778-80.	
	CB	LEE et al., J Pharm Sci 1988, 77, 81-86.	
	CC	WOODS et al., Org Process Res Devel 2000, 4, 418-26.	
	CD	COSTA et al., Synthetic Comm 1996, 26, 3671-76.	
	CE	BRENNAN et al., Tetrahedron 1997, 53, 17769-80.	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--